

Effingham County, IL

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Date Entry

Judge

Entered Under: BROCKETT, THAD F

12/22/2021 First Amendment To Complaint Count IV filed by MEYER, MICHAEL.

UNASSIGNED

12/20/2021 Order entered and filed from Judge Matoush regarding the ruling from 11/15/21 hearing. Copy emailed to Atty Meyer and Atty Fruehling.

UNASSIGNED

11/24/2021 Additional Authority In Support Of Motion For Leave To File First Amendment To Complaint (Count IV) filed by MEYER, MICHAEL.

UNASSIGNED

Defendant's Supplemental Authority Re The Pending Motion To Add Count IV To Plaintiff's Complaint filed by FRUEHLING, KEITH.

11/15/2021 ATTY MEYER W/PLNTF; ATTY VAYRE FOR DEF; PLNTF'S MOTION FOR LEAVE TO FILE AMENDED CNT IV HEARD: CWM ARGUMENTS GIVEN; PARTIES GIVEN 10 DAYS TO FILE ANY ADDITIONAL CASE LAW; CASE TAKEN UNDER ADVISEMENT; CRT ONLY REVIEW 11/29/21 AT 8:30 A.M.

10/01/2021 Notice of Hearing filed by MEYER, MICHAEL. Set for 11/15/21 at 1 p.m.

UNASSIGNED

09/28/2021 By agreement of counsel - motion hearing is set for 11/15/21 at 1 p.m.

UNASSIGNED

09/27/2021 ATTY MEYER FOR PLNTF; NO ONE ELSE APPEARS; PARTIES TO OBTAIN A DATE W/CLERK FOR "MOTION"; PARTIES TO HAVE ANY CASE LAW ON FILE 10 DAYS BEFORE HRG. CLERK TO SEND COPY OF DOCKET TO ATTYS.

CWM

09/27/2021 Copy of 9/27/21 docket entry emailed to Atty Meyer and Atty Fruehling.

UNASSIGNED

08/30/2021 JUDGE DELONG RECUSES HIMSELF; CLERK TO CONTACT COUNSEL OF RECORD.

JAD

08/30/2021 Attorney Meyer and Attorney Fruehling notified by email of Judge DeLong recusal and that further instructions would be given when Judge Matoush makes an entry.

UNASSIGNED

08/23/2021 Memorandum In Support Of Motion For Leave To File First Amendment filed by MEYER, MICHAEL.

UNASSIGNED

08/16/2021 Motion for Extension of Time filed by MEYER, MICHAEL.

UNASSIGNED

07/20/2021 ATTYS FRUEHLING AND MEYERS; P CONFESSES MSJ; JUDGMENT FOR D'S TO ENTER; COURT QUESTIONS COUNSEL ON PROCEDURE OF AMENDING AFTER CONFESSION OF MSJ; GRANTED TO FILE REPLY UNTIL 8/15/21; B/A HEARING ON MOTION FOR LEAVE TO AMEND 8/30/21 AT 1:30PM.

JAD

07/15/2021 Defendant's Response to Plaintiff's Motion for Leave to Amend the Complaint filed by FRUEHLING, KEITH.

UNASSIGNED

06/25/2021 Order from Chief Judge's Office removing Judge Assignment of Judge Michael McHaney from case.

UNASSIGNED

06/24/2021 THIS COURT VERIFIED WITH THE OFFICE OF THE CHIEF JUDGE THAT MCHANEYS ASSIGNMENT TO THIS CASE WAS VACATED JANUARY 27, 2021; THIS CASE NOW GOES ON THE DAILY CIVIL CALL. DOCKET ENTRY TO ATTYS OF RECORD.

MDM

06/24/2021 Notice of RS Entry for 20210624 mailed to Atty Meyer and Fruehling.

UNASSIGNED

06/24/2021 Notice Of Hearing filed by FRUEHLING, KEITH.

UNASSIGNED

06/23/2021 Motion/sumry jdgmt reset to 07/20/2021 at 10:00 in courtroom C. Notice of appearance mailed to FRUEHLING, KEITH E. Notice of appearance mailed to MEYER, MICHAEL.

UNASSIGNED

06/18/2021 Motion for Leave to File First Amendment to Complaint filed by MEYER, MICHAEL.

UNASSIGNED

06/18/2021 Notice of Hearing for 6/23/21 at 1:00 p.m. on Motion For Leave to File First Amendedment of Compliant filed by MEYER, MICHAEL.

UNASSIGNED

04/23/2021 PER ORDER OF JUDGE - CASES WILL NOW BE HELD IN PERSON AS OF 6/1. ATTY MEYER AND ATTY FRUEHLING NOTIFIED BY EMAIL OF CHANGE FOR 6/23 MOTION HEARING.

UNASSIGNED

03/29/2021 Notice Of Hearing filed by FRUEHLING, KEITH. Set for 6/23/21 at 1 p.m.

UNASSIGNED

03/25/2021 Defendants' Motion for Summary Judgment filed by FRUEHLING, KEITH. Defendants' Memorandum of Law in Support of Their Motion for Summary Judgment filed by FRUEHLING, KEITH.

UNASSIGNED

03/01/2021 Reply to Defendants' Second Amended Affirmative Defenses filed by MEYER, MICHAEL.

UNASSIGNED

02/17/2021 PROPOSED SCHEDULING ORDER Entered.

JAD

02/17/2021 PROPOSED SCHEDULING ORDER filed. Case is set for CMC for 1/12/22 at 10 a.m.; Final PreTrial for 4/18/22 at 9 a.m. and Jury Trial for 5/2/22 at 8:30 a.m. Copy emailed to Atty Meyer and Atty Fruehling.

UNASSIGNED

02/10/2021 PROPOSED ORDER Entered.

JAD

02/10/2021 PROPOSED ORDER filed. (to terminate the Respondents in Discovery: Rob Arnold, David Campbell, Mike Depoister, Lloyd Foster, Karen Luchefeld, Doug McCain, Jeff Simpson, Joe Thoelle and David Mahon) Copy emailed to Atty Meyer

UNASSIGNED



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and Atty Fruehling.

02/08/2021	Agreed Motion to Terminate Respondents-In-Discovery filed by FRUEHLING, KEITH.	UNASSIGNED
02/03/2021	PROPOSED ORDER RE AGREED MOTION FOR LEAVE TO FILE SECOND AMENDED ANSWER AND AFFIRMATIVE DEFENSES Entered.	JAD
02/03/2021	PROPOSED ORDER RE AGREED MOTION FOR LEAVE TO FILE SECOND AMENDED ANSWER AND AFFIRMATIVE DEFENSES filed. Copy emailed to Atty Meyer and Atty Fruehling.	UNASSIGNED
02/01/2021	Agreed Motion for Leave to File Defendants' Second Amended Answer and Affirmative Defenses to Plaintiff's Complaint Instanter filed by FRUEHLING, KEITH. Certificate Of Service filed by FRUEHLING, KEITH.	UNASSIGNED
01/26/2021	List of 2022 PT/JT dates with scheduling order emailed to Atty Meyer and Atty Fruehling.	UNASSIGNED
01/21/2021	Reply to Defendants' First Amended Affirmative Defenses filed by MEYER, MICHAEL.	UNASSIGNED
01/08/2021	PROPOSED ORDER Entered.	JAD
01/08/2021	PROPOSED ORDER filed. (Order for Motion for Leave to file First Amended Answer and Affirmative Defenses) Copy emailed to ATty Meyer and Atty Fruehling. NOTE: Attys notified that document will now have to be e-filed.	UNASSIGNED
01/05/2021	Defendants' Unopposed Motion for Leave to File Defendants' First Amended Answer and Affirmative Defenses to Plaintiff's Complaint (Instanter) filed by FRUEHLING, KEITH.	UNASSIGNED
11/09/2020	Scheduling Order entered and filed. ENTRY PER JUDGE MCHANAY - DUE TO NO SET DATES AT THIS TIME FROM THE CHIEF JUDGE'S OFFICE REGARDING 2022 PRETRIAL AND JURY TRIAL DATES - ATTORNEYS ARE ORDERED TO KEEP IN CONTACT WITH THE CLERK'S OFFICE TO OBTAIN THOSE DATES AND TO PREPARE AN AMENDED SCHEDULING ORDER TO SET THOSE DATES. Copy of order emailed to Atty Meyer and Atty Fruehlin.	UNASSIGNED
10/29/2020	TCC held. Plaintiff present by Atty Meyer. Defendants present by Atty Fruehling. CMC continued to 11/09/2020 at 8:30 a.m. Proposed agreed scheduling order may be submitted in advance.	MS
09/30/2020	Notice of Hearing filed by MEYER, MICHAEL. Set for 10/29/20 at 8:30 a.m. (with Judge McHaney).	UNASSIGNED
09/29/2020	Correspondence to Circuit Clerk filed by MEYER, MICHAEL (to ask for a court date for a CMC).	UNASSIGNED
10/28/2019	Order Authorizing Release of Records entered and filed. (Signed by Judge McHaney and received by mail on 10/31/19). Copy emailed to Atty Fruehling and Atty Meyer. HIPAA Qualified Protective Order entered and filed. (Signed by Judge McHaney and received by mail on 10/31/19). Copy emailed to Atty Fruehling and Atty Meyer.	UNASSIGNED
10/15/2019	Defendants' Motion for Order Authorizing Release of Records filed by FRUEHLING, KEITH. Defendants' Motion for HIPAA Qualified Protective Order filed by FRUEHLING, KEITH.	UNASSIGNED
07/01/2019	Certificate of Service filed by MEYER, MICHAEL.	UNASSIGNED
06/25/2019	Agreed Order entered and filed. (in regards to the Motion to Compel and vacating court date of 6/25/19)	UNASSIGNED
06/24/2019	Response To Motion To Compel filed by MEYER, MICHAEL.	UNASSIGNED
05/14/2019	Defendants' Revised Notice of Hearing filed by FRUEHLING, KEITH Set for 6/25/19 at 11 a.m. (Case is assigned to Judge McHaney)	UNASSIGNED
05/09/2019	Defendant's Notice of Hearing filed by FRUEHLING, KEITH. Set for 6/11/19 at 9:30 a.m. NOTE: Atty Fruehling notified that court dates for this case must be set in front of Judge McHaney as he is assigned to the case due to recusals. Told to phone the Chief Judge's Office for court date options.	UNASSIGNED
05/07/2019	Defendants' Motion to Compel filed by FRUEHLING, KEITH.	UNASSIGNED
01/10/2019	Notice Of Service Of Discovery Documents filed by FRUEHLING, KEITH.	UNASSIGNED
05/09/2018	Reply to Affirmative Defenses filed.	UNASSIGNED
09/27/2017	Certificate of Service filed.	UNASSIGNED
07/26/2017	Certificate of Service filed.	UNASSIGNED
01/17/2017	Notice of Change of Address filed. (from Atty Keith Fruehling from the Law Firm of Heyl, Royster, Voelker & Allen)	UNASSIGNED
09/06/2016	Defendants' Answer to Plaintiff's Complaint filed.	UNASSIGNED
08/15/2016	plaintiff with attorney; defendant's by attorney; this court's order of July 22, 2016 is vacated; court now hears argument from defendants regarding their motion to reconsider and has previously read the defendants reply to the plaintiff's reply; this court reinstates its order of July 22, 2016 and denies the defendant's motion to reconsider. This court further finds that there is no question of law as to which there is substantial ground for difference of opinion and denies defendants request for a certified question pursuant to Supreme Court rule 308 (a); the courts reference to Supreme Court rule 304 (a) was in error.defendants to file answer within 21 days.	MDM
07/29/2016	Notice of Hearing filed. Set for 8/15/16 at 10:30 a.m.	UNASSIGNED
07/27/2016	ENTRY MADE BY JUDGE MCHANAY TODAY BY CONFERENCE CALL: HEARING DATE FOR 8/15/16 AT 10:30 A.M. IS NOW SET AGAIN; PREVIOUS ORDER TO VACATE THE HEARING DATE IS VACATED.	MDM
07/22/2016	THIS CASE IS SET FOR HEARING ON AUGUST 15, 2016, REGARDING THE DEFENDANTS' MOTION TO RECONSIDER. THIS COURT HAS CAREFULLY	MDM

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CONSIDERED THE MOTION, AS WELL AS PLAINTIFF'S RESPONSE AND FINDS THAT ORAL ARGUMENT IS NOT NECESSARY. THE MOTION TO RECONSIDER FILED
 6-7-16 IS DENIED. THE DEFENDANTS' REQUEST FOR A SCR 304(a) FINDING IS DENIED. THE PLAINTIFF'S MOTION FOR EXTENSION OF TIME FILED 6-9-16 IS GRANTED. THE HEARING DATE SET 8-15-16 IS VACATED; DOCKET ENTRY ORDER TO ATTORNEYS; DEFENDANTS SHALL FILE AN ANSWER TO THE AMENDED COMPLAINT WITHIN 21 DAYS.

07/22/2016	Copy of entry mailed to both attys. Per Judge McHaney, Clerk notified the Chief Judge's office that the 8-15-16 hearing date is vacated. Defendants' Reply to Plaintiff's Response to Motion to Reconsider filed.	UNASSIGNED
07/12/2016	Notice of Hearing filed. Set for 8/15/16 at 10:30 a.m. (for Motion for Extension of Time to Convert any or all Respondents in Discovery to Defendants)	UNASSIGNED
07/11/2016	Response to Motion to Reconsider filed.	UNASSIGNED
06/30/2016	Notice of Hearing filed. Set for 8/15/16 at 10:30 a.m. (for Motion to Reconsider) Copy of Notice of Hearing faxed to the Chief Judge's Office as Judge McHaney is assigned to this case.	UNASSIGNED
06/27/2016	Notice for Service by E-Mail filed.	UNASSIGNED
06/22/2016	Letter from Atty Fruehling filed.	UNASSIGNED
06/09/2016	Motion for Extension of Time to Convert any or all Respondents in Discovery to Defendants filed.	UNASSIGNED
06/07/2016	Motion to Reconsider filed.	UNASSIGNED
05/17/2016	Order entered and filed. Copy given to Atty Meyer and a copy mailed to Atty Fruehling.	UNASSIGNED
05/12/2016	PLAINTIFF WITH ATTORNEY; DEFENDANT'S BY ATTORNEY; DEFENDANT NIEMANN PRESENT; ARGUMENTS OF COUNSEL; COURT TAKES MATTER UNDER ADVISEMENT AND WILL ISSUE WRITTEN ORDER AS SOON AS POSSIBLE.	MDM
05/11/2016	Motion for Leave to File Additional Response to Motion to Dismiss filed.	UNASSIGNED
04/29/2016	Reply to Plaintiff's Response to Motion to Dismiss filed. Response to Plaintiff's Motion to Amend Count II of Complaint filed.	UNASSIGNED
04/21/2016	Assignment Order entered and filed from the Chief Judge's Office. Case is assigned to Judge Michael D. McHaney. Copy of order given to Atty Meyer and a copy mailed to Atty Fruehling.	UNASSIGNED
04/15/2016	J. KOESTER RECUSES HERSELF FROM FURTHER PROCEEDINGS IN THIS CASE. CLERK TO NOTIFY CHIEF JUDGE'S OFFICE FOR ASSIGNMENT OF JUDGE	KGK
04/15/2016	Copy of 4/14 and 4/15 docket entry with a copy of the complaint faxed to the Chief Judge's Office.	UNASSIGNED
04/14/2016	TELEPHONE CONFERENCE WITH ATTORNEY MEYER FOR PLAINTIFF AND ATTORNEY FRUEHLING FOR DEFENDANTS. B/A: DEFENDANTS ARE GRANTED ADDITIONAL TIME UNTIL 4/29/16 TO FILE ANY REPLY TO PLAINTIFF'S RESPONSE (FILED ON 4/4/16) TO DEFENDANTS' MOTION TO DISMISS (FILED ON 2/19/16); HEARING ON SAID MOTION TO DISMISS IS RESET FROM 4/21/16 TO 5/12/16 AT 11:00 A.M.; DEFENDANTS SHALL FILE ANY RESPONSE TO PLAINTIFF'S MOTION (FILED ON 4/6/16) FOR LEAVE TO AMEND COUNT II OF COMPLAINT BY 4/29/16; PLAINTIFF'S MOTION FOR LEAVE TO AMEND IS SET FOR HEARING ON 5/12/16 AT 11:00 A.M. (ALONG WITH HEARING ON DEFENDANT'S MOTION TO DISMISS). J. EDER RECUSES HIMSELF FROM FURTHER PROCEEDINGS IN THIS CASE.	JJE
04/06/2016	Motion to Amend Count II of Complaint filed. Notice of Hearing filed. Set for 4/21/16 at 11 a.m.	UNASSIGNED
04/04/2016	Response to Motion to Dismiss filed.	UNASSIGNED
03/30/2016	Agreed Order entered and filed. Copy given to Atty Meyer.	UNASSIGNED
03/29/2016	Motion to Revise Briefing Schedule filed.	UNASSIGNED
03/08/2016	PLAINTIFF AND DEFENDANTS BY ATTORNEY'S; PLAINTIFF TO RESPOND TO DEFENDANT'S MOTION TO DISMISS BY mARCH 29, 2016; DEFENDANT TO REPLY THEREAFTER BY aPRIL 11; HEARING ON DEFENDANT MOTION TO DISMISS SET aPRIL 21, 2016 AT 11 am; OVER DEFENDANT OBJECTION DEPOSITION OF sHERIFF MAHON SHALL PROCEED AS SCHEDULED.	MDM
03/04/2016	Notice of Hearing filed. Set for 3/8/16 at 10:30 a.m.	UNASSIGNED
03/03/2016	Entry of Appearance filed by Attorney Keith E. Fruehling on behalf of Respondents-In-Discovery Rob Arnold, David Campbell, Mike Depoister, Lloyd Foster, Karen Luchtefeld, Doug McCain, Jeff Simpson, Joe Thoele and David Mahon. Filing fee \$106.00 paid Emergency Motion to Quash Summons for Discovery filed.	UNASSIGNED
02/19/2016	Defendants' Motion to Dismiss Pursuant to 735ILCS 5/2-619(a)(5) and/or 5/2-619(a)(9) filed.	UNASSIGNED
02/16/2016	Entry of Appearance filed by Attorney Keith Fruehling on behalf of the defts, The County of Effingham and Jim Niemann. Filing fee \$106.00 paid for deft Niemann Jury Demand fee \$200.00 paid for deft Niemann	UNASSIGNED
01/26/2016	Summons for Discovery returned; served on Rob Arnold.	UNASSIGNED

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Private Investigator fee \$49.38
 Summons for Discovery returned; served on Lloyd Foster.
 Private Investigator fee \$46.50
 Summons for Discovery returned; served on David Campbell.
 Private Investigator fee \$40.00
 Summons for Discovery returned; served on David Mahon.
 Private Investigator fee \$40.00
 Summons for Discovery returned; served on Mike Depoister.
 Private Investigator fee \$40.75
 Summons for Discovery returned; served on Karen Luchtefeld.
 Private investigator fee \$40.00
 Summons for Discovery returned; served on Jeff Simpson.
 Private Investigator fee \$49.38
 Summons for Discovery returned; served on Joe Thoel.
 Private Investigator fee \$49.38
 Summons for Discovery returned; served on Doug McCain.
 Private Investigator fee \$55.12
 Summons returned; served on Effingham County/ c/o Kerry J. Hirtzel,
 Clerk.
 Private Investigator fee \$35.00
 Summons returned; served on Jim Niemann.
 Private Investigator fee \$35.00

12/15/2015 Complaint filed on 12/15/2015. UNASSIGNED
 Filing fee \$146.00 paid
 Jury Demand fee \$200.00 paid
 Summons issued on The County of Effingham c/o Kerry J. Hirtzel, Clerk and returned to atty for service. Copy in file.
 Summons issued on Jim Niemann and returned to atty for service. Copy in file.
 Summons for Discovery issued on Rob Arnold and returned to atty for service. Copy in file.
 Summons for Discovery issued on David Campbell and returned to atty for service. Copy in file.
 Summons for Discovery issued on Mike Depoister and returned to atty for service. Copy in file.
 Summons for Discovery issued on Lloyd Foster and returned to atty for service. Copy in file.
 Summons for Discovery issued on Karen Luchtefeld and returned to atty for service. Copy in file.
 Summons for Discovery issued on Doug McCain and returned to atty for service. Copy in file.
 Summons for Discovery issued on Jeff Simpson and returned to atty for service. Copy in file.
 Summons for Discovery issued on Joe Thoel and returned to atty for service. Copy in file.
 Summons for Discovery issued on David Mahon and returned to atty for service. Copy in file.

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